

HONORABLE RONALD B. LEIGHTON

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

BRAD M. ALWARD and CONNIE G. ALWARD, and the marital community composed thereof, Plaintiffs, v. LANE INTERNATIONAL CORPORATION, an Oregon Corporation, Defendant.	NO. C 06-5560 RBL STIPULATION AND ORDER FOR PROTECTIVE ORDER REGARDING PLAINTIFFS' MEDICAL AND PERSONAL INFORMATION
--	--

STIPULATION

COME NOW the parties, by and through their attorneys of record, and hereby stipulate to the entry of a Protective Order regarding Plaintiffs Brad M. Alward and Connie G. Alward's

///

///

///

STIPULATION AND ORDER FOR PROTECTIVE ORDER
REGARDING PLAINTIFFS' MEDICAL AND PERSONAL INFORMATION - 1

1
2 medical records and sensitive personal information. The form and substance of the Protective
3 Order stipulated to are set forth below.
4

5 Dated: January 17, 2007

STRITMATTER KESSLER WHELAN
COLUCCIO

7 /s/_____
8 BRAD MOORE, WSBA #21802
9 ALISA R. BRODKOWITZ, WSBA #31749
Counsel for Plaintiffs

10
11 Dated: January 17, 2007

PREG O'DONNELL & GILLET

12
13 /s/_____
14 THEODORE L. PREG, WSBA #_____
CHRISTINE E. TAVARES, WSBA #24868
Counsel for Defendant

15
16
17
18
19
20
21
22
23

STIPULATION AND ORDER FOR PROTECTIVE ORDER
REGARDING PLAINTIFFS' MEDICAL AND PERSONAL INFORMATION - 2

ORDER

Based on the parties' foregoing stipulation and agreement, IT IS HEREBY ORDERED that "Protected Documents" shall be subject to the Protective Order.

1. The term "Protected Document" as used herein, shall mean:

- a. Any document produced during discovery that relates to Plaintiffs' medical treatment, consultation and history;
- b. Any portion of a deposition discussing such medical records, medical history, consultation or treatment;
- c. Any of Plaintiffs' tax returns, W2s and social security; and
- d. Any of Plaintiffs' employment or school records.

2. The "Protected Document" shall continue to be a "protected document" until such time as the parties agree in writing that the document is no longer considered to be a "protected document" or there is a finding by the court that the document is not the proper subject of protection under the Washington Rules of Civil Procedure.

3. Without further order of this Court, Defendant and its representatives may show "Protected Documents" and may disclose the contents thereof, only to the following persons (hereinafter referred to as "qualified persons"):

- a. Defendant in this action and its insurer's representative(s);
- b. Counsel of record in this action for Defendant;
- c. Regular employees of such counsel assigned to and necessary to assist such counsel in the preparation of trial in this action;

STIPULATION AND ORDER FOR PROTECTIVE ORDER
REGARDING PLAINTIFFS' MEDICAL AND PERSONAL INFORMATION - 3

- d. Experts including all consulting and potential trial experts, to the extent necessary for preparation of an opinion or testifying by that expert, subject to all the terms and conditions of this Order, provided that opposing counsel will agree all such experts must be bound by the terms of this Order, provided that all such experts will execute the attached "Acknowledgment of Receipt of Protective Order;"
- e. The Judge; and
- f. Court reporters and officials involved in the litigation.

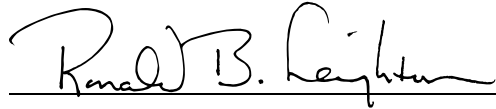
Every "Protected Document" shall remain at all times under the custody of counsel for the party or parties obtaining such documents, and or persons as defined in paragraph 2.

4. After termination of this litigation, including any appeals, the provisions of this Order shall continue to be binding, except with respect to those documents and information that become a matter of public record. This Court retains and shall have jurisdiction over the parties and recipients of the "Protected Document" for enforcement of the provisions of this Protective Order following termination of this litigation.

5. Nothing in this Order shall prevent any party from seeking modification of this Order or from objecting to discovery in accordance with the rules of civil procedure. Each party shall have the right to apply to the court for any order granting other or additional protective relief. The parties may seek to modify any provisions of this Order by written agreement among

1
2
3 them, subject to approval by the court. Nothing in this Order shall prevent the court from
4 ordering any appropriate relief with respect to the matters addressed in this Order.

5 IT IS HEREBY ORDERED this 22nd of January, 2007.

6
7 

8 RONALD B. LEIGHTON
9 UNITED STATES DISTRICT JUDGE
10
11
12
13
14
15
16
17
18
19
20
21
22
23